

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION

JOHN ANTHONY EKERS,	:	
	:	
Plaintiff	:	
	:	
VS.	:	
	:	NO. 1:12-CV-146 (WLS)
DR. ED BAILEY, <i>et al.</i> ,	:	
	:	
Defendants	:	<u>O R D E R</u>

Plaintiff **JOHN ANTHONY EKERS**, an inmate at Telfair State Prison, has filed a motion to proceed *in forma pauperis* (“IFP”) on appeal (Doc. 24). Plaintiff wishes to appeal this Court’s dismissal of his lawsuit filed under 42 U.S.C. § 1983. In the Court’s best judgment, an appeal from its Order cannot be taken in good faith. 28 U.S.C. § 1915(a)(3); Fed. R. App. P. 24(a)(3); *see also Skillern v. Georgia Dept. of Corrections Commissioner*, 379 F. App’x 859 (11th Cir. 2010) (unpublished). Plaintiff’s motion to proceed IFP on appeal is accordingly **DENIED**.

If Plaintiff wishes to proceed with his appeal, he must pay the entire \$455 appellate filing fee. Because Plaintiff has stated that he cannot pay the fee immediately, he must pay using the partial payment plan described under 28 U.S.C. § 1915(b). Pursuant to section 1915(b), the prison account custodian shall cause to be remitted to the Clerk of this Court monthly payments of 20% of the preceding month’s income credited to Plaintiff’s account (to the extent the account balance exceeds \$10) until the \$455 appellate filing fee has been paid in full. Checks should be made payable to “Clerk, U.S. District Court.”

The Clerk of Court is **DIRECTED** to send a copy of this Order to the business manager at Telfair State Prison.

SO ORDERED, this 7th day of May, 2013.

/s/ W. Louis Sands
W. LOUIS SANDS
UNITED STATES DISTRICT JUDGE